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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/711,463 | 09/20/2004 | Bogdan Radu | MASL-59 | 5462 |

37690 7590 09/27/2006

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EXAMINER

LUKS, JEREMY AUSTIN

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2837

DATE MAILED: 09/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/711,463

Applicant(s)

RADU ET AL.

Examiner

Jeremy Luks

Art Unit

2837

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: _____ |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :9/6/06, 7/5/06, 6/23/06, 5/22/06, 4/27/06, 2/10/06, 4/4/05, 10/26/04, 10/6/04, 9/20/04.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1 and 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stuffle (DE 10316678 B3 – the Examiner will use Stuffle (US 2005/0002199) as a translation herein) in view of Moser (EP 1448027 A1). Stuffle teaches an automotive interior component (Figure 4) for use with an audio speaker (10) of a vehicle (Page 2, [0032]), comprising: a door trim panel (#2) (Page 2, [0032]); a speaker grille (17) mounted to said door trim panel (2), said speaker grille (17) with a plurality of sound passages (Figures 2 and 5, see openings in grille #17) for transmitting sound emitted by the audio speaker (10); and a lamp or light emitting source (19) positioned behind said speaker grille, said lamp or light emitting source oriented for emitting visible light, when powered; and wherein said lamp or light emitting source (19) mounted to the speaker grille (17). Stuffle fails to teach wherein the lamp or light emitting source is an electroluminescent lamp, positioned between the audio speaker and said speaker grille, said electroluminescent lamp oriented for emitting light through said sound passages; wherein said electroluminescent lamp is integrally molded with said speaker grille to form a unitary assembly; and wherein said speaker grille and said door trim panel comprise a unitary, integrally molded body. Moser teaches an electroluminescent lamp

(Figure 1, #3) positioned between an audio speaker (2) and said speaker grille of Stuffle when used in combination, said electroluminescent lamp (3) oriented for emitting light, through the sound passages of Stuffle when used in combination. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the apparatus of Stuffle, with the apparatus of Moser to allow for multiple colors to be emitted from a single light. Moser fails to teach wherein said electroluminescent lamp is integrally molded with said speaker grille to form a unitary assembly; and wherein said speaker grille and said door trim panel comprise a unitary, integrally molded body. However, The method of forming a device is not germane to the issue of patentability of the device itself. Therefore, this limitation has been given little patentable weight.

2. Claims 2, 3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stuffle (DE 10316678 B3 – the Examiner will use Stuffle (US 2005/0002199) as a translation herein) in view of Moser (EP 1448027 A1) as applied to claim 1 above, and further in view of Reich (2003/0048912). Stuffle and Mosaer are relied upon for the reasons and disclosures set forth above. Moser further teaches an electroluminescent lamp. Stuffle and Moser fail to teach wherein said electroluminescent lamp includes a plurality of apertures registered with said sound passages, said apertures for transmitting sound emitted by the audio speaker, wherein said apertures are smaller in diameter than said sound passages and circumscribed by said sound passages; an audio signal source coupled with the audio speaker; and a controller connected between said audio signal source and said electroluminescent lamp, said controller capable of converting output signals from said audio signal source into changes in light

intensity of the visible light emitted from said electroluminescent lamp. Reich teaches wherein an optical lamp structure (Figure 1, #30, 32 and 40,42) includes a plurality of apertures (50) registered with said sound passages of Stuffle when used in combination, said apertures (50) for transmitting sound emitted by the audio speaker (Page 2, [0018], [0021]), and wherein said apertures (50) are smaller in diameter than said sound passages of Stuffle and are circumscribed by said sound passages when used in combination; an audio signal source coupled with the audio speaker (Page 2, [0018]); and a controller (Figure 3, #204) connected between said audio signal source (202) and a light source (208), or electroluminescent lamp when used in combination with Stuffle and Moser, said controller (204) capable of converting output signals from said audio signal source (202) into changes in light intensity of the visible light emitted from said electroluminescent lamp when used in combination ([0030]-[0037]). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the apparatus of Stuffle as modified, with the apparatus of Reich to allow sound waves to pass through the lighting device, as well as to control the light source output by the amplitude and frequency characteristics of the audio signal.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Pertinent arts of record relating to door trim speaker grilles with electroluminescent lamps are disclosed in the PTO-892.

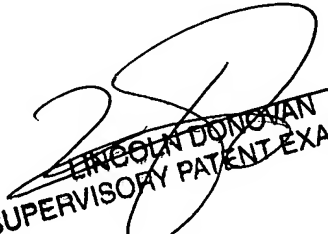
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeremy Luks whose telephone number is (571) 272-

2707. The examiner can normally be reached on Monday-Thursday 8:30-6:00, and alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lincoln Donovan can be reached on (571) 272-1988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jeremy Luks
Patent Examiner
Art Unit 2837


LINCOLN DONOVAN
SUPERVISORY PATENT EXAMINER